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H – 4531

International Court of Justice

H4531 - 0002

INTERNATIONAL MILITARY TRIBUNAL

I, DAVID PATRICK MAXWELL FYFE, hereby certify that the document annexed hereto and numbered UK - GB.170. is an official British Governmental document,

DPMF ~~a report of the United Nations,~~

and an act or document of a committee set up for the investigation of war crimes,

DPMF ~~a record or finding of a Tribunal of the United Nations,~~

within the meaning of Article 21 of the Charter of the International Military Tribunal.

DPMF ~~a document made by a person in the employment of the British Government in the ordinary course of his duties, and that such person was in a position and under a duty to make all reasonable investigations relating to the subject matter thereof.~~

(signed) D. P. Maxwell Fyfe

(date) 11th January 1946

(strike out and initial all words not applicable).

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INTERNATIONAL MILITARY TRIBUNAL
NUREMBERG, GERMANY
Exhibit RF 355
Filed Jan 30, 1946

B 49404

UNITED KINGDOM

GERMAN

UK-G/B 170

(1) SS. General Berger chief of Prisoners of War Affaires

(2) The Officers or Officer in charge from the 28 th. January to the 4 the February 1945 of about 13 00.British prisoners of war in transit from Sagan to Luckenwalde.

From 28 th.January - 4 th.February 1945.

En route from Sagan to Luckenwalde via Halbau,Kunau, Gross Selton, Berkenstedt, Leippa, Muskau, Grausteir and Spremberg.

No. xxix. III- treatment of prisoners of war.

Breach of Usages and Laws of War.

Assault.

1357 British prisonefs of all ranks were on the 28 th.January 1945 marched out of Stalag Luft.3 in three columns, and were thereafter marched for distances warying from 17 to 31 kilometres per day to Spremberg where they were entrained for Luckenwalde. Food; water, medical supplies and adequate accomodation were more or less non-existent throughout the trip. At least 3 prisoners collapsed and Had to left at Muskau. Others collapsed en route.

According to a statement drawn up by Mr.Albert Kadler of the Protecting Power the order was given on the 27 th. January that all men in the East Compound at Stalag Luft 3 were to march off at 11.0 p.m. that night. Finally the party started early in the morning of the 28 th. and marched that day 17 kilometres to Halbau.Each man was issued with one Red Cross parcel, but no provision was made for the carriage of any provisions other than each man could carry on his back. 53 prisoners too ill to march were left at Stalag Luft , 3 under the commander of Lt.Col.Loock, S.A.A.F. On the 29 th.January the men appear to have rested all day, but on the 30th. they marched another 18 kilometers to Leippa and on the 31 st. the distance of 31 kilometres to Muskau. It is small wonder that at this stage three men F/Lts.Kielly and Wise and W/O. Burton collapsed and Had to be left at Muskau in the Lazarett. At Muskau they appear to have rested all day on the 1st.February and here 566 prisoners were detached to join the column from the North Compound, whose exact itinery is not set out in Mr.Kadler"s statement. On the 2nd. they marchedanother 18 kilometers to Graustein and on the 3 re. 10 kilometers to Spremberg .

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On the meantime the third column from the Bellaria Compound had marched from Sagan to Kunau on the 28 th.January: from there to Gross Selton on the 29 th, where they rested on the 30th, on to Berkenstedt on the 31 st. with another rest on the 1st February; and then on again to join the other at Graustein on the 2nd. February. From this column no less than 15 men escaped on the march .

On the march, apart from the Red Cross parcel already referred to, the only rations issued to the men were one half loaf of bread and one issue of barley soup each. The supply of water is described as "haphazard" and on some days the men had to beg for it on the road in exchange of cigarettes. No attempt to provide accommodation had been made in advance, and each night the men were kept waiting while this was obtained. The journey by train from Spremberg to Luckenwalde was made in over-crowded conditions and no water was provided.

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